

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

OLIVER OTIS McCRAY

PETITIONER

VS.

CIVIL ACTION NO. 5:13-cv-70(DCB)(MTP)

TIMOTHY OUTLAW

RESPONDENT

ORDER

This cause is before the Court on the petitioner Oliver Otis McCray ("McCray")'s motion for reconsideration (**docket entry 24**), motion to set aside conviction (**docket entry 26**), and motion for a speedy judgment (**docket entry 28**). McCray seeks reconsideration of this Court's Final Judgment of March 6, 2014, dismissing his Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2254 with prejudice. McCray appealed the Final Judgment to the Fifth Circuit Court of Appeals which denied him a Certificate of Appealability on September 12, 2014. McCray's motion is therefore denied. McCray also moves to set aside his conviction and sentence of April 9, 2008, which motion is untimely. The Court further finds that the motion for speedy judgment is moot.

Accordingly,

IT IS HEREBY ORDERED that the petitioner's motion for reconsideration (**docket entry 24**) is DENIED;

FURTHER ORDERED that the petitioner's motion to set aside conviction (**docket entry 26**) is DENIED;

FURTHER ORDERED that the petitioner's motion for a speedy

judgment (**docket entry 28**) is DENIED AS MOOT.

SO ORDERED, this the 15th day of December, 2015.

/s/ David Bramlette
UNITED STATES DISTRICT JUDGE